

AIEO UPDATE

Friends, Associates and Customers of AIEO: AIEO UPDATE is published at least four times each year to provide information on the activities of the USEPA's American Indian Environmental Office (AIEO). AIEO greatly encourages input and feedback. AIEO UPDATE is available through electronic mail and in the EPA AIEO Web Page under "What's New" and "Publications." Please contact Marlene RedDoor at (202) 564-0290 or through e-mail (regelski-reddoor.marlene@epa.gov) for more information or submissions you may have.



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NEW GRANT SOLICITATION AIMED AT AMERICAN INDIAN TRIBES: Lifestyle and Cultural Practices of Tribal Populations and Risks from Toxic Substances in the Environment

Title: Lifestyle and Cultural Practices of Tribal Populations and Risks from Toxic Substances

in the Environment - The U.S. EPA's Office of Research and Development (ORD) and the U.S. Department of Health and Human Service's Agency for Toxic Substances and Disease Registry are seeking applications for research on lifestyle and cultural practices of Tribal populations and risks from toxic substances in the environment. Tribal populations may be at especially high risk for environmentally-caused diseases and health outcomes as a result of their subsistence lifestyles, occupations and customs, and/or environmental releases impacting tribal lands. This solicitation invites applications in two areas of current interest, the development of: 1) exposure and effects assessment methods that can be broadly applied across geographic regions and Tribal populations and 2) risk management strategies and options that will lead to reduction in risk from exposure.

Close Date: 07/10/2002 - APPLICATIONS CAN BE FOUND AT: http://es.epa.gov/ncer/rfa/02trib risk.html

ALSO:

Title: Superfund Minority Institutions Program: Hazardous Substance Research The U.S. EPA's Office of Research and Development (ORD) through its National Center for Environmental Research (NCER), is seeking applications for the Superfund Minority Institutions Program that will provide extramural funding to minority institutions via grants to conduct research on Superfund related topics. Appropriate projects include research on risk assessment and risk management issues associated with contaminated sites as well as related subjects such as community assessment and involvement, susceptible populations, and tribal-specific topics.

Close Date: 07/03/2002 - APPLICATIONS CAN BE FOUND AT: http://es.epa.gov/ncer/rfa/02minhazinst.html

THE INDIAN GENERAL ASSISTANCE PROGRAM (GAP) AIEO has national program

responsibility for administering the GAP program to support development of Tribal Environmental Programs. Established in 1992, GAP funds assist Tribal Governments and Intertribal Consortia in planning, developing and establishing environmental protection programs.

The GAP Allocation for FY 2002. The funding available for GAP assistance has remained level repeating last year's allocation of \$52 million. AIEO recently has distributed the regional allotments and is in the process of developing the Request for Proposal (RFP) package for the national set-aside awards which will address issues of national concern.

Solid and Hazardous Waste Implementation. FY 2001 represented the first year that Tribes could use GAP funds to implement solid and hazardous waste activities. This new flexibility is limited to Solid and Hazardous Waste related projects and did not come with additional funding, although it represents a major expansion in Tribes abilities to use GAP funding to address issues. In an effort to better understand the impact of this new flexibility on funding, types of projects attempted, and the demand for

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implementation activities, AIEO and EPA's Office of Solid Waste held a meeting with the Regional GAP Coordinators to examine and to learn from the projects funded in FY 2001.

Findings included:

- S Implementation activities covered issues such as vehicle removal, minor dump closures, trash pickup, and the installation of garbage and recycling collection centers
- S A relatively limited number (138) of projects were reported in the first year, with most Regions anticipating a greater volume of projects in FY 2002.
- **S** A continued focus on program development in the use of GAP funds.

AlEO contacts: (GAP) Rodges Ankrah at (202) 564-0280, ankrah.rodges@epa.gov and Lisa Tatakis (202) 564-0297, tatakis.lisa@epa.gov

BASELINE ASSESSMENTS - A specific objective of the EPA Strategic Plan is to work with Indian Tribes to assess

Indian country for its environmental conditions. The purpose of the Baseline Assessment of Indian Country is to assemble, in an easy to use and accessible format, the environmental data important to support sound environmental planning and management, both for the Tribes and for EPA. Non-EPA access to the systems will be through the Tribal Information Management System (TIMS) interface

Through the Baseline Assessment project, AIEO is working closely with the Office of Environmental Information (OEI) in the development of information management technology capacity for tribes. Information on a significant source of new funding for Tribal information technology was published February 11 in the Federal Register and was sent by mail to all tribes. The notice is a request for competitive proposals for Network Exchange Grants, which involve information infrastructure development and the construction of network exchange server nodes using XML protocols. Tribal grant funding for the Network Exchange Grant program \$2.5 Million. Grant applications are due April 11. Lyn Burger (202-564-0200) of OEI is the manager for the Network Exchange Grants program.

Data from the 2000 Census will play a significant role in determining the level of funding Tribes will receive in federal programs. Two questionnaires were distributed by Census 2000: 1.) the "short form" that was administered to every household in the U.S. and was the direct count of population that determined the redistricting of the Congressional delegations and 2.) the "long form" that delved in detail into many sensitive and important areas such as race, ethnicity and income levels. Data from the short form are available; raw data from the long form will be released in March. AIEO is working with the Census Bureau to perform Tribal extractions of data collected.

AIEO has begun discussions with the Bureau of the Census to incorporate the 2000 census information as a data layer for the Tribal Information Management System. This data will be used in future years to recalculate the formula for distribution of GAP grant funds to the EPA Regions, and to determine the qualification for various kinds of matching fund requirements in Performance Partnership Grants. AIEO Contact: Dr. Ed Liu, (202) 260-9872, liu.ed@epa.gov

WATER PROTECTION TASKFORCE

UPDATE ON SECURITY ISSUES:

The American Water Works Association (AWWA), in cooperation with the EPA, carried out training sessions entitled "Counter Terrorism and Security in the Water Industry: A Manager's Guide to Keeping Your Utility Safe" throughout the months of November, December and January. These sessions were targeted to Tribal utility managers to help them assess and protect the safety of their utilities. Several Tribes attended sessions held across the country. For Tribes that did not have the opportunity to participate, the following information is available:

Webcast Webcast training will provide an overview of the content contained in the seminars with an emphasis on identifying and contacting resources available to support a utility's security efforts. It is a two hour course where attendees will log on to a secure

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web site and view a series of security presentations in Power Point software. For more information or to register for the webcast, please go to www.awwa.org or call (800) 926-7337.

Online Learning Course AWWA's Online Institute offers the "Counter Terrorism and Security in the Water Industry" training in the form of self-paced lessons through interactive technology. The site allows access only to those with a password. The interactive component allows the individual to participate in decision-making and problem-solving skills. Start date is February 2002. For more information or to register for the online course, please go to www.awwa.org or call (800) 926-7337.

TRIBAL SCIENCE COUNCIL: It's purpose is to foster interaction between Tribal and EPA representatives for collaboration on environmental science issues, develop sound holistic, integrated and cross-media scientific approaches, and support the subsistence, religious, and ceremonial lifestyles of Native Americans now and for future generations. Major goals of the Council are to: develop a better understanding of the priority science issues of Tribes and the Agency's ability to address these issues, consider those issues as part of the Agency's formal planning process, reach consensus on collaborative approaches for addressing priority issues, share scientific products, and promote EPA/Tribal partnerships in development and application of sound science. Representatives from EPA were nominated from each Region and Program Office. Tribal representatives were nominated by Tribes within each EPA Region.

TRIBAL SCIENCE COUNCIL: The first face-to-face Tribal Science Council (TSC) with EPA and Tribal scientists was held December 10-13, 2001, at the Ak-chinand Gila River Indian communities in Arizona. Chris Gannon, a representative from the Warm Springs Tribe, was elected as an interim Co-Chair on the Tribal side. Dr. Hal Zenick will continue through this fiscal year as the EPACo-Chair. Many important organizational and scientific topics were discussed.

Three issues were decided by TSC: 1) Askthe National Tribal Caucus (TC) to allow an Alaska representative to sit on the TSC; 2) TSC/TC members will bring issues to the Tribal Science Council relying on Tribal Regional Representatives to report; and, 3) Subsistence will be the number one priority. TribalTSC representatives askedEPA representatives to survey the Agency to determine what science is being performed in the area of subsistence. They also decided that they will operate by consensus inthedecision-makingprocess. Several sub-groups were formed to explore specific topics of concern. The TSC will continue to have at least monthlyconferencecallsandwilldecidewhenitsnextmeetingshallbeheld. ORD Contact and TSC Coordinator, Claudia Walters, (202) 564-6762), walters.claudia@epa.gov. AIEO contact: Marlene Reddoor, (202) 564-0290 regelski-reddoor.marlene@epa.gov

EXECUTIVE ORDER ON TRIBAL CONSULTATION - Number 13175 requires EPA and other federal agencies to establish and follow various procedures for consulting with federally recognized Tribal governments when the federal agencies' actions have substantial direct effects on Indian Tribes. (This document can be accessed on the Internet at www.epa.gov/indian/polin.htm

EPA established a workgroup composed of EPA employees and Tribal representatives to help develop Agency Guidance to ensure compliance with Executive Order 13175, Coordination and Consultation with Indian Tribal Governments. The workgroup is led by Paul Lapsley, Chair of EPA's Regulatory Steering Committee. The Regulatory Steering Committee ensures that all of the regulations produced by EPA comply with the various Executive Orders and statutory requirements. The tribal representatives come from each of EPA's Regions with tribes, and were chosen either by the Regional TOCs or other means that ensured tribal input into these lection process. EPA and the tribal representatives kicked off this initiative on November 14-15, 2001 with a Dialogue with Tribal Representatives in which Administrator Whitman provided opening remarks. During the Dialogue, the participants identified systemic challenges to consultation unique to tribal circumstances, and proffered various strategies. Using the fruits of this Dialogue, the workgroup meet at least biweekly to work through the various aspects of consultation,

The ultimate goal of this work is to make permanent pragmatic and achievable processes which ensure elected and duly appointed tribal officials have a meaningful and timely dialogue with the EPA on its actions that have tribal implications. To that end, the workgroup is:

- exploring existing instruments and processes within EPA that could be shared with the Tribes, and which can convey meaningfulinformation.
- exploring how and when tribal input would be effective, depending upon the Agency's actions,
- working with Region 9's Tribal Office on a pilot project on tribal consultation,
- exploring the consultation processes of other federal agencies with an eye on best practices
- identifyingEPAandtribalorganizationsthatcouldassistwithfacilitationandinscreeningEPAactionsfortribalimplications and consultation with elected and duly appointed tribal officials.

AIEO Contact: Jose Aguto (202-260-6084), aguto.jose@epamail.epa.gov.

EPA BUDGET NEWS

The Administrator submitted EPA's FY 2003 President's Budget Request to Congress in February 2002. EPA's FY 2003 budget request provides continued support to protecting the environment in Indian country. Proposed Agency-wide Tribal resources for FY 2003 total almost \$230 Million, representing a slight increase from EPA's FY 02 Enacted levels. Included in this increase is a proposed \$5 million increase to the Indian General Assistance Program. For more specifics on EPA's Budget visit: http://www.epa.gov/ocfo/budget/budget.htm. AIEO contact: Dianne Briggs, 202-564-0279, Briggs.dianne@epa.gov or Martha Kucera, 202- 564-0295, Kucera.Martha@epa.gov.

AIEO NEWS

DIRECTOR OF AIEO: Interviews with final candidates are underway in February 2002. In the interim, **JEFF BESOUGLOFF**, Deputy Director of AIEO, is acting as Director.

Sylvia Bell has been serving as Acting Deputy Director for AIEO since August 2001. Unfortunately, her detail ended on February 22, 2002. Sylvia has provided excellent support to AIEO and the EPA Tribal Program. We will miss her greatly!!

On February 4, 2002 **Ben Grumbles** joined the **Office of Water as Deputy Assistant Administrator.** Ben brings a wealth of experience with the Clean Water Act, Water Infrastructure and Science issues. He has spent the past several years working for the U.S. House of Representatives, including an assignment as Counsel for the Majority for the House Transportation and Infrastructure Committee, and more recently for the House Science Committee.

AIEO MOVED in January 2002 to the former Interstate Commerce Commission Building, now called EPA EAST. Now AIEO is next to other EPA office buildings, Ariel Rios and Ronald Regan. The new location, telephones, faxes, etc are attached at the end of this **AIEO UPDATE**.

OTHER NEWS FROM PROGRAMS, REGIONS and PARTNERS- News on Meetings, Publications, Training, Interagency Workgroups, etc.

OFFICE OF WATER

Guidelines on Awarding Section 319 Grants to Indian Tribes in FY 2002

On January 22, 2002, EPA issued guidelines to its Regions for awarding Clean Water Act Section 319 non-point source grants to Indian tribes in FY 2002. Congress authorized EPA to award non-point source pollution control grants to Indian tribes under Section 319 of the Clean Water Act in FY 2002 in an amount that exceeds the statutory cap (in Section 518(f) of the Clean Water Act) of 1/3% of the total 319 appropriation. The guidelines are intended to assist all tribes that have approved non-point source assessments and management programs and also have "treatment-as-a-state" status to receive Section 319 funding to help with program implementation. The guidelines describe the process for awarding base funding in, including submissions of proposed work plans. The guidelines also describe the competitive process and schedule to select watershed projects funding, including submissions of watershed project summaries and the selection criteria for funding watershed projects. The guidelines are effective January 22, 2002.

Summary of Process for FY 2002 Grants to Tribes In FY 2002, EPA will set aside \$6,000,000 for Tribal non-point source grants. This amount is based on three factors:

- 1. EPA will continue to support all eligible tribes with base grant,
- 2. EPA will award base funding to eligible tribes as follows:

- a. \$30,000 in base funding will be awarded to eligible tribes whose land area is less than 1,000 square miles (640,000 acres)
- b. \$50,000 in base funding will be awarded to eligible tribes whose land area is greater than 1,000 square miles (640,000 acres),
- 3. The remaining funds to eligible tribes through a competitive process to support the implementation of priority watershed projects.

The announcement may be found at: www.epa.gov/fedrgstr/EPA-WATER/2002/January/Day-22/w1499.htm. **OWOW CONTACT: EdDrabkowski** (202) 260-7009; drabkowski.ed@epa.gov; **AIEO Contact: Bob Smith**, (202) 564-0278, smith.bob-nmi@epa.gov,

OFFICE OF AIR & RADIATION

EPA Mobile Source Outreach Assistance Grant FY 2002 - This grant solicits proposals from state, local, multi-state and tribal air pollution control agencies for mobile source-related public education and outreach projects. The funding will be allocated by EPA's Office of Transportation and Air Quality (OTAQ) through the competitive process described in the Federal Register notice. The **Federal Register Notice** can be viewed at: http://www.epa.gov/oar/tribal/announce.html

DATES: The deadline for submitting Final Proposals is Monday, April 15, 2002. To allow for efficient management of the competitive process, OTAQ is requesting agencies to submit an informal Intent to Apply by Friday, February 22, 2002. (Instructions for submitting final proposals and Intents to Apply are found in Section X). This Informal Intent to Apply needs to be in the form of an email to **Susan Bullard** with just one or two sentences. Please include the subject of your grant. Submitting an "Intent to Apply" does not commit an organization to submit a final proposal. Those not submitting an Intent to Apply may still apply by the deadline. **OAR Contact: Darrel Harmon** 202-564-7416, harmon.darrel@epa.gov, **AIEO CONTACT**: Tonya Fish, (202) 564-0294.

OFFICE OF ENFORCEMENT & COMPLIANCE ASSURANCE

National Tribal Environmental Enforcement & Compliance Conference, Part I of II

The Inter Tribal Council of Arizona (ITCA) and Mni Sose Intertribal Water Rights Coalition have been selected to jointly produce 2 Enforcement and Compliance Assurance Conferences with funding assistance from AIEO.

Part I: The first of these conferences "The Status of Tribal Environmental Enforcement & Compliance in Indian Country" will be held in Reno Nevada, April 30, May 1-2, 2002 at the John Ascuaga's Nugget Resort Hotel-Casino. Part I will address the full range of topics defining the status of environmental enforcement and compliance in Indian country.

Part II, the second 3-day session, will be held in Kansas City, Missouri in August-September 2002. Part II will provide the specific training sessions and workshops to achieve the objectives identified during the 'Roundtable Discussion' scheduled as the final session of Part I in Reno, Nevada.

The National Tribal Environmental & Compliance Conference is being presented in a Part I and Part II format to allow Tribal government and EPA representatives to attend the entire six day conference. There is a \$50 registration fee for each, Part I and Part II, of the conference.

Conference Web Site & On-Line Registration: (You must cut and paste the URL onto an open Internet Explorer page): http://www.tribalconference.info/meeting_information.htm. If you have difficulty viewing the agenda in your browser, it can be emailed to you by sending a request to the following E-mail address: Patrick.McMullen@itcaonline.com.

For more information please contact: ITCA at (602) 258-4822.

Part I -Tentative Conference Agenda

Ø	The Basis of Tribal Sovereignty	Ø	Federal/Indian Trust Relationship
Ø	Environmental Regulatory Authority:	Ø	EPA Program Approval Process: The basis for EPA
	Tribal and Federal Governments		decision making

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Ø	Tribal Government Regulatory and	Ø	Supreme Court Case Law: Tribal Government
	Enforcement Authority		Environmental Law
Ø	Compliance Assistance Activities for	Ø	Enforcement Actions for Tribal and Federal Environment
	Tribal and Federal Environment Law		Law

OFFICE OF POLLUTION, PESTICIDES AND TOXIC SUBSTANCES (OPPTS) FORUM ON STATE AND TRIBAL TOXICS ACTION (FOSTTA) TRIBAL AFFAIRS PROJECT (TAP)

Due to efforts to recruit representatives for the FOSTTA Tribal Affairs Project, there are now primary representatives for all nine regions with Federally recognized Tribes and alternate representatives for three of the regions. The goal is to have primary and alternate members for all the regions.

Seven tribal representatives participated in the October 22-23, 2001, FOSTTA TAP meeting in Washington, DC. At the opening plenary session, Susan B. Hazen, the Principal Deputy Assistant Administrator for Prevention, Pesticides and Toxic Substances, gave an overview of EPA news/priorities and addressed OPPTS issues, including the High Production Volume Challenge Program, Voluntary Children's Chemical Evaluation Programs, Persistent, Bioaccumulative Toxic Chemicals, Persistent Organic Pollutants/Prior

Informed Consent, lead, and dioxin. Anyone interested in a copy of the overview can contact Darlene Harrod at the telephone number below. The Tribal Affairs Project participated in a session on Tribal Risk Assessment and had an in depth discussion on Executive Order 13175 of November 6, 2000, Consultation and Coordination With Indian Tribal Governments. At the Spring 2002 FOSTTA TAP meeting, plans are under way to have an all-day session on Tribal Risk Assessment and a presentation by the Tribal Science Council on its activities.

On January 28, 2002, the EPA Grants Office awarded the 2002-2007 FOSTTA Cooperative Agreement to the Environmental Council of the States, in partnership with the National Tribal Environmental Council. In carrying out the agreement, ECOS-NTEC will make a concerted effort to promote state and tribal issues, perspectives, and concerns on OPPT's environmental programs. OPPT Contact: Darlene Harrod, FOSTTA Coordinator, 202-564-8814, harrod.darlene@epa.gov

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE (OSWER)

NATIONAL TRIBAL CONFERENCE ON ENVIRONMENTAL MANAGEMENT (NTCEM)

EPAcongratulates the Pyramid Lake Paiute Tribe as the selected co-host of the 6th National Tribal Conference on Environmental Management (6th NTCEM). The conference will be held from **June 4 through June 7, 2002**, at John Ascuaga's Nugget in Sparks (Reno), Nevada. The Pyramid Lake Tribal Program Staff soon will be sending out a conference announcement to tribes and federal agencies, and soliciting ideas for conference agendatopics, speakers and workshops. EPA will also be sending out a call for papers to the federal agencies in February 2002. Pyramid Lake plans to communicate information on the conference through an updated web site, including on-line registration. AIEO will continue to share information as it becomes available.

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A majorgoal of the 6th NTCEM is to coordinate with, and bring attention to the variety of tribal-related environmental efforts--by tribes, tribal organizations, committees and inter-tribal consortia--in Indian country. Towards that end, the National Tribal Environmental Council (NTEC) will be co-locating their annual conference to directly precede the 6th NTCEM at the Nugget. The NTEC annual conference is scheduled from June 2 through June 4, 2002. EPA and the Pyramid Lake Paiute Tribe invite all interested tribal organizations, committees and inter-tribal consortiato consider planning their meetings around this week of activities.

Held biennially since 1992, the EPA-sponsored, tribally directed National Tribal Conference on Environmental Management has grown into one of the premier environmental events in Indian country. The Office of Solid Waste and Emergency Response initiated this conference in 1992 and has co-sponsored the conference biannually into the present. For 2002, AIEO, ORD, OPPTS, and other EPA program offices are sharing its focus and responsibility. Originally focused on solid waste activities, the conference has evolved in a diverse direction of environmental topics and attracts roughly 600 participants, including Tribes, tribal organizations, states, and federal program managers from across the Nation. A national tribal conference of this magnitude provides an excellent opportunity for sharing program information and public education on the various environmental media. The conference also provides EPA an opportunity to consult with a wide audience of tribal government representatives for various program purposes. Pyramid Lake Paiute Tribe contact: Mr. Gerry Emm, Environmental Director, (775) 574-0101, gemm@powernet.net, OSWER Contact: Felicia Wright, (202) 260-4410, wright, felicia@epa.gov,

RCRA NATIONAL MEETING – JANUARY 15-18, 2002: The 2002 Resource Conservation and Recovery Act (RCRA) National Meeting was held January 15-18 at the Hyatt Regency Washington on Capitol Hill, 400 New Jersey Avenue, NW, Washington, DC. For the first time ever, the meeting was open to the general public. As in previous years, the meeting was open to staff and management from the EPA, States, and Tribes. The EPA welcomes all Tribal participation. OSW has three sessions to address Tribal waste management: two addressed municipal solid waste and hazardous waste management. The overall theme of this year's meeting was "Partnerships for Cleaner Communities." Contact Anita Cummings (703-308-8303, cummings.anita@epa.gov, Gina Bowler (703-308-7279,bowler.gina@epa.gov, or Alan Strasser (301-577-9339), astrasser@hazmed.com.

THE AMERICAN INDIAN ENVIRONMENTAL OFFICE

PLEASE SEE BELOW FOR NEW ADDRESS, TELEPHONE, FAX, AND STAFF LOCATIONS!

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Besougloff, Jeff (Acting Director)	3334W	564-0303
Briggs, Dianne	3334B	564-0279
Fish, Tonya	3334T	564-0294
Fleming, Theresa	3334K	564-0293
Gearon, Jihan (Intern)	3334C	564-0284
Geter, Edna	3334P	564-0296
Handon, Helen	3334E	564-0286
Hanson, Tony	3334R	564-0281
Helm, Gretchen	3334F	564-0288
Kucera, Marty	3334J	564-0295
Liu, Ed	3334H	564-0287
Mickles, Clara	3334N	564-0285
RedDoor, Marlene	3334D	564-0290
Smith, Bob	3334M	564-0278
Tatakis, Lisa (detail)	3334Q	564-0297
Thompson, Mona Lisa (LAN-SA)	3334L	564-0291

^{*} AREA CODE IS 202 FOR ALL NUMBERS

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Appointments, Controlled Correspondence, Records and Property Management, Building & Facilities Actions	Helen Handon	564-0286
Communication/Outreach, Computer/LAN Management, AIEO Update, Web Page Management	Marlene Regelski	564-0290
General Administration, Office Operations, PRs, Bankcard Issues	Edna Geter	564-0296
Travel (Staff & TOC), Time Cards, Mailing Lists	Gretchen Helm	564-0288
Working Capital Fund, Financial Management	Marty Kucera	564-0295
SPECIAL PROJECTS LEADS:		
Baseline Assessment	Ed Liu	564-0287
General Assistance Program, Performance Partnership Grant Program	Rodges Ankrah	564-0280
Inter-Agency Coordination, Policy, Legal & Inatl. Issues, EO 13175 - Consultation & Cooperation with Tribal Governments	Jose Aguto	564-0289
National Indian Workgroup Liaison, Senior Environ -mental Employee Program, OW Diversity Team	Clara Mickles	564-0285
Senior Indian Program Managers Coordination	Jose Aguto	564-0289
Tribal Operations Committee Liaison	Theresa Fleming	564-0293
"Working Effectively with Tribal Governments" Training	Tonya Fish	564-0294